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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

		Application Number	10/786,219
		Filing Date	February 25, 2004
		First Named Inventor	MONFORTON, RANDAL J.
		Art Unit	3742
		Examiner Name	LEUNG, PHILIP H.
Total Number of Pages in This Submission		Attorney Docket Number	5558USA-WO

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Documents  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input checked="" type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): • Return Postcard
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	GENERAL MILLS		
Signature			
Printed Name	JOHN A. O'TOOLE		
Date	January 14, 2005	Reg. No.	28,336

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Yulanda Y. Washington	Date	January 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	3742
<b>TOTAL AMOUNT OF PAYMENT</b> (\$)	<b>120.00</b>	Attorney Docket No. <b>5558USA-WO</b>

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify):

Deposit Account Deposit Account Number: **07-0900** Deposit Account Name:

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity

Fee (\$)

25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

50 200 100

360 180

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
- 20 or HP =	<u>  </u>	<u>  </u>	<u>  </u>	<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 or HP =	<u>  </u>	<u>  </u>	<u>  </u>

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity)

for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Claims</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	<u>  </u>	<u>  </u>	<u>  </u>	<u>  </u>
		(round up to a whole number)	x	=

120.00 (\$)

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Terminal Disclaimer Recording Fee

**SUBMITTED BY**

Signature	<i>John A. O'Toole</i>	Registration No. (Attorney/Agent)	Telephone (763) 764-2422
Name (Print/Type)	John A. O'Toole		Date 01/13/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Authorization is hereby given to charge the recording fee of \$120.00 to Deposit Account 07-0900.

Respectfully submitted,

General Mills, Inc.

Dated: 1/13/05

By: John A. O'Toole

John A. O'Toole, Esq.  
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Respectfully submitted,

General Mills, Inc.

Dated: December 23, 2004.

By: Alan D. Kamrath

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Attorney Docket No. 9649/150

Client Docket No. 5558CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re App : Randal J. Monforton et al. : Examiner Philip H. Leung  
Serial No. : 10/786,219 : Art Unit 3742  
Filed : February 25, 2004 : Confirmation Number 3027  
For : Easily Expandable, Nontrapping, Flexible Paper, Microwave Package

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH  
THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL WITH  
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COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VA 22313-1450, ON 1-19-05  
(37 C.F.R. 1.8a).

**TERMINAL DISCLAIMER**

Dear Sir:

Your Petitioner, General Mills, Inc., a corporation of the State of Delaware having a principal place of business at P.O. Box 1113, 4SE, Number One General Mills Boulevard, Minneapolis, Minnesota 55440, represents it is the assignee of 100% interest in the above application by virtue of an assignment from Randal J. Monforton, Ronald W. Hegner, Michael R. Perry and Melissa L. Jacobs recorded on September 26, 2003 on Reel 014010, Frame 0542, in the United States Patent and Trademark Office. Your Petitioner further represents it is the assignee of 100% interest in U.S. Patent No. 6,660,983 entitled *Easily Expandable, Nontrapping, Flexible Paper, Microwave Package* under an assignment from Randal J. Monforton, Ronald W. Hegner, Michael R. Perry and Melissa L. Jacobs recorded on September 26, 2003 on Reel 014010, Frame 0542 in the United States Patent and Trademark Office.

Your Petitioner, General Mills, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,660,983. Your petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,660,983. This agreement runs with any patent granted on this above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,660,983 in the event that U.S. Patent No. 6,660,983 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is an attorney of record and is empowered to sign this Terminal Disclaimer on behalf of the assignee.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these